

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Drewes Farms Partnership,

Plaintiff,

v.

City of Toledo,

Defendant,

and

**Lake Erie Ecosystem and
Toledoans for Safe Water, Inc.,**

Intervenor-Defendants.

No. 3:19-cv-00434-JZ

The Honorable Jack Zouhary

**Intervenor-Defendants' Motion for
Leave to File a Reply in Support of
Motion to Intervene**

**INTERVENOR-DEFENDANTS' MOTION FOR LEAVE TO FILE A REPLY IN
SUPPORT OF MOTION TO INTERVENE**

1 Pursuant to the Court's Civil Case Management Procedures, Lake Erie Ecosystem and

2 Toledoans for Safe Water ("Proposed Intervenors") request the Court's prior authorization to file

3 a reply brief to Drewes Farms Partnership's Brief in Opposition to Motion to Intervene. (ECF

4 No. 16.)

1 Drewes Farms Partnership (“DFP”) makes four substantive arguments (in ECF No. 16)
2 against intervention by Lake Erie Ecosystem and Toledoans for Safe Water (“Proposed
3 Intervenors”) (ECF No. 10). Those arguments are:
4 (1) The Lake Erie Ecosystem allegedly cannot intervene because it cannot be a party under
5 FRCP 17;
6 (2) Proposed Intervenors allegedly lack standing;
7 (3) Proposed Intervenors allegedly do not have a substantial legal interest in the action; and
8 (4) The City of Toledo allegedly adequately represents Proposed Intervenors’ interests.

9 Proposed Intervenors request the Court’s prior authorization to address those arguments
10 in a Reply Brief. DFP’s arguments are either inappropriate or erroneous and Proposed
11 Intervenors request the opportunity to reply.

12 A Proposed Order is attached.

Respectfully submitted this Eighth Day of April, 2019.

/s/ Terry J. Lodge

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Certificate of Service

I certify that I electronically filed this document with the Clerk of the Court for the United States District Court for the Northern District of Ohio by using the Court's CM/ECF system on April 8, 2019.

The other parties are Filing Users and are served electronically by the Notice of Docket Activity.

Dated: April 8, 2019

/s/ Lindsey Schromen-Wawrin

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